

present invention with respect to the prior art. Specifically, independent claim 1, as amended, comprises a fixation screw for fastening a graft ligament in a bone tunnel, wherein the proximal end defines a generally planar end surface disposed transversely to the central axis and at an angle thereto other than a normal angle. Additionally, independent claims 7 and 13 of the present invention each comprise a fixation screw comprising a proximal end comprising a generally planar end surface disposed transversely to the axis and at an angle thereto other than a normal angle.

Riesser et al. is believed to teach an interference screw having an angled profile across only a portion of the proximal end thereof so as to create an end surface having an overall shape which is not generally planar (see Figs. 3, 4 and 7 of Riesser et al.) More specifically, and looking at Fig. 3 of Riesser et al., Applicants believe that the proximal end of the Reisser screw forms at least one substantial discontinuity adjacent to reference numeral 26 so as to create a non-planar end surface. This profile is believed to be consistent with the end surfaces shown in Figs. 4 and 7 of Riesser et al. As such, Reisser et al. is believed to teach away from the generally planar end surface of the present invention. In this respect, Applicants note that their generally planar end surface provides a substantial advantage over the prior art, since it allows the end surface of the screw to form a substantially flush, void-free fit with the outer surface of the bone.

Accordingly, independent claims 1, 7 and 13 are believed to be in condition for allowance, and allowance thereof is respectfully requested.

Claims 2 and 5-8, 11 and 12, and 14, which depend either directly or ultimately from independent claim 1, 7 and 13, respectively, are believed to be allowable at least for the above-identified reasons. Accordingly, allowance of claims 2, 5-8, 11, 12 and 14 is respectfully requested.

In response to Item 3 above, claims 3 and 4, and 9 and 10, which depend either directly or ultimately from independent claims 1 and 7, respectively, are believed to be allowable at least for the above-identified reasons. Accordingly, allowance of claims 3, 4, 9 and 10 is respectfully requested.

In response to Item 4 above, Applicants have now amended the instant application to claim priority of pending prior U.S. Patent Application Serial No. 10/244,797, filed September 16, 2002 by Joseph H. Sklar, Harold M. Martins, and Richard F. Wenstrom, Jr. It is Applicant's belief that the instant application now claims priority to U.S. Patent No. 5,899,938 issued to Sklar et al. (Sklar '938). Therefore, Sklar '938 is not prior art with respect to the present invention, and neither Reisser et al. nor Sutter et al. disclose a graft ligament anchor assembly comprising a tubular body comprising a deformable wall, and a fixation screw for insertion into a tubular body. Accordingly, claims 15-20 are believed to be in condition for allowance, and allowance there of is respectfully requested.

In event that any additionally fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Respectfully submitted,

*James A. Sheridan 12/3/02*

James A. Sheridan

Reg. No. 43,114

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. (781) 290-0060

Version With Markings To Show Changes Made

1. (Amended) A fixation screw for fastening a graft ligament in a bone tunnel, the screw comprising:

an elongated shank having a distal end and a proximal end, and a central axis extending from the distal end to the proximal end;

screw threads disposed on said shank and extending from the distal end to the proximal end;

wherein said proximal end defines [an end plane] a generally planar end surface disposed transversely to the central axis and at an angle thereto other than a normal angle.

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